

RICHARDS FAILS TO PROVE CHARGE

Assistant Engineer Todd Tells of Q Street Excavations.

COMMITTEE HAS HEARD ENOUGH

Will Now Sit in Executive Session to Consider Plans for Reorganization of City Engineer's Department. Saville Answers Atkinson.

To a large extent, if not absolutely, Fourth Assistant City Engineer Charles L. Todd, Jr., vindicated himself on the charges brought by Councilman Charles E. Richards before the Lynch investigating committee last night, the committee declaring at a late hour that it had heard enough; that it was not necessary to call the remainder of Mr. Todd's witnesses, although all those summoned by Mr. Richards had been heard. The committee will meet next Wednesday night in the office of the City Engineer in executive session to formulate its report to the council on the charges and on the plan for a reorganization of the City Engineer's office. Mr. Todd will at that time present a plan for a general reorganization of the department, on which the subcommittee will pass, and the whole will probably result in the recommendation of an ordinance to the City Council giving the Engineer complete authority within his own department to employ and discharge his assistants and to direct their daily work, without intervention of Council committees.

When Richards charged, Mr. Todd, a member of the City Council from Marshall Ward, charged that he secured an estimate from Assistant Engineer Todd for grading certain sidewalks on Q Street, that the amount of work largely exceeded which the committee had not crossed the work in advance, and that the contractor had been largely overpaid for the part that had been done. Mr. Todd was able to show by witnesses that although not cross-sectioned, he had taken certain measurements in advance of the work; that the excavations were much larger than would appear, and that comparatively little more work was necessary to make up the amount which had been allowed the contractor. There was much conflicting testimony through which the committee had to pick its way, with some emphatic statements of a more or less personal nature, which, despite the efforts of Chairman Lynch to preserve order, again and again threatened the peace of the investigation.

Answers Inspector. Before the Richards case was gone into evidence produced by Assistant Engineer Saville tended largely to clear himself of imputations of errors cast by Sewer Inspector Atkinson, and to leave the burden with Mr. Atkinson, the man who was discharged by First Assistant City Engineer Bolton after he had testified adversely to the department. Mr. Saville presented his notes and estimates which had been fully checked over and found correct as to the Eleventh Street sewer on which Mr. Atkinson, the inspector, had testified that he had found it necessary to change the grades to keep sewer from running out of the ground. A letter from the foreman on the job stated that the grades were not changed at any time, but the importance of the letter was weakened by the admission that the foreman had been sick a week while the work was in progress. A letter from Louis Washer, inspector for the Tenth Street sewer, on which it was alleged Mr. Saville had made an error, stated that the sewer had been covered past the point indicated before Inspector Atkinson was put on the job. Mr. Saville stated that his profiles for the Eleventh Street sewer had been shown by engineers to be absolutely right, and that if they were not followed, it was Inspector Atkinson's error. Mr. Saville stated that on the work every day, and Mr. Atkinson had not said anything to him about the grades having been wrong.

Mr. Barry Testifies. Thomas A. Barry, the contracting firm which built the sewer, testified that he had followed the blue prints furnished, and that he did not make any change by order of Atkinson or any other inspector, that Mr. Saville was on the job every day, and that Mr. Bolton almost every day, and that the foreman on the job had never notified him of any conflict in plans. Mr. Barry considered Mr. Atkinson a competent inspector, but would not testify to the fact that the inspector who involved a change in the plans without notifying the engineers. He was not the contractor on the Tenth Street sewer, and he stated to express an opinion, but as an expert of long experience in sewer work he thought that had the pipe been thoroughly covered in the runnels by the grades, the sewer would not have buckled. Mr. Atkinson recalled to the stand renewed his assertion of having changed the grades, and that he had notified Mr. Bolton of the change. Mr. Bolton came to the job only once a week, and didn't always get out of his buggy. Mr. Atkinson admitted that he did not know the sewer, but knowledge what he had testified as to the connection for the Tenth Street sewer, not having been on that work at the time. Mr. Barry stated that he had followed the grades given on Eleventh Street the sewer would have run out of the ground, although admitting that the last cut was marked sixteen feet deep. Mr. Barry stated that he had been paid by the profile, and that if the city inspector had insisted on a cut six inches deeper the city should pay for the additional cut ordered by Mr. Atkinson.

C. Manning, Jr., took the stand in reply to Sewer Foreman Holzback as having been on the job. He testified for the Broad Street sewer. He stated "positively and emphatically" that he did not find the connection where the grades had been cut, and that he had dug into every part of the cellar until he was afraid of throwing the front out of the building by further excavations before the connection was found. Mr. Holzback recalled to the stand, testified that he had gone to the building and put his foot on the spot where the cut was to be.

PARITY WITH VISIBLE FORM OF MRS. EDDY

Followers See Her Body Laid Away in Mount Auburn Cemetery.



MRS. MARY BAKER EDDY.

Boston, Mass., December 8.—The followers of Mrs. Mary Baker Eddy, the founder of the Christian Science Church, parted with her visible form to-day at a funeral service that was marked by simplicity and lack of ostentation; that yielded no expression of sorrow, at least not by her followers; that was surrounded by a throng of mourning, but was nevertheless sufficiently impressive to linger long in the memory of 120 persons who attended.

Judge Clifford P. Smith, first reader of the Mother Church, read the greater part of the service prepared by himself, which consisted of selections from the Bible, correlative passages from Mrs. Eddy's book, "Science and Health," and a prayer. He was assisted by Mrs. Carol Hoyt Powers, the second reader, who rendered Mrs. Eddy's poem, "Morning's Evening Prayer," with sweet and tender expression. There was no eulogy, no sobbing except by the young granddaughter, Mary Baker Glover, whose crepe-covered hat was the only sombre color note in the house.

The spacious parlors where the little gathering sat eighteen minutes in calm thought were bathed in sunlight, while a spray of roses on the coffin and here and there a bouquet as if for decorative effect were the only evidence of the customary massing of flowers. Judge Smith looked for the last time on the face of the leader of the sect saw the small, delicate face of a woman who looked sixty instead of ninety, and whose expression was singularly peaceful and showed no sign of suffering. Eighteen carriages followed the hearse across the snow-clad hills to Mount Auburn Cemetery, in Watertown. There, before the open doors of the receiving tomb, Judge Smith finished the service of the day by reading the twenty-third Psalm and pronouncing as a benediction the last verse of Jude. The coffin was slipped into its niche, and the door was shut and sealed, and a man was placed on guard.

WANT LONGER HAWSERS

Towing and Steamship Interests Make Plea to Congress.

Washington, December 8.—Suggestions were received to-day from towing and steamship interests in various parts of the country by the various commission, authorized by Congress in 1908, looking toward the modification of the recent restrictions on the length of hawsers attached to seagoing barges when towed in inland waters. The commission, which was organized in 1908, has been working on the problem, and the present requirement, which is that the hawser must be less than 150 feet, the present requirement, was entered. The hawser commission consists of George U. R. Putnam, supervising engineer of the steamboat inspection service; C. R. Putnam, of the Lighthouse, and Eugene T. Chamberlain, Commissioner of the Bureau of Commerce and Labor in the near future.

FOR HONEST TOBACCO

Senator Taylor Wants Weed Brought Under Pure Food Law.

Washington, December 8.—Senator Taylor, of Tennessee, introduced a bill to-day to extend the provisions and regulations of the national pure food law to tobacco, in whatever form it may be offered for sale. His bill is designed to prevent the mislabeling or branding of domestic tobacco, so that it may be offered for sale as pure tobacco; to prevent the importation of tobacco with any other substance; the treatment of tobacco with any deleterious or poisonous substance; and the offering of packages upon which the weight is not correctly stamped. Senator Taylor will urge the consideration of his bill at this session of Congress, and expects to have considerable support irrespective of party. In addition to specific definitions of the standards by which tobacco shall be judged, the measure seeks to prevent the substitution of another grade or kind of tobacco in a box or package.

CAMPAIGN WAGED ON MEAGRE FUNDS

Cash Was Far From Plentiful at Last Election.

DEMOCRATS USE PALTRY \$27,771

This Amount Less Than Was Spent by Republican Party Which Went to Defeat—Reports of Expenditures Are Filed With House Under New Law.

Washington, D. C., December 8.—The Republican Congressional Committee received \$77,461 and disbursed \$74,373, while the Democratic Congressional Committee received \$27,790 and disbursed \$27,771 during the recent campaign, according to reports filed to-day with the clerk of the House of Representatives.

These reports were made in accordance with the act of June 25, 1910, providing for publicity of contributions made for the purpose of influencing the election of representatives in Congress are elected.

Had Money Left Over. Of the amount contributed to the Republican cause, \$47,930 was cash on hand at the time the publicity act was passed. The Democratic balance on hand at that time was only \$13,238. The act requires a division of receipts, showing contributions of \$100 or more and contributions in sums less than \$100. In the former class the Republican report shows fifty-two items, making up all but \$2,462 of the total receipts. In the latter class the Democratic committee reported thirteen contributions, amounting to \$3,650, while the aggregate of contributions of less than \$100 was \$10,832, the remainder being made up by cash on hand.

The largest individual contribution to the Republican fund was made by Representative William B. McKinley, of Illinois, the chairman of the committee, which amounted to \$5,000. A contribution of \$5,750 was received from the treasurer of the Union League Club, of Philadelphia. The Republican State Committee of Louisiana contributed \$2,000, former Secretary of the Treasury Leslie M. Shaw, of Philadelphia, \$1,000, and John Pitcairn, of Pittsburgh, \$1,000. All of the remainder was made up from contributions of less than \$1,000. The National Republican Committee gave \$587.

Largest Democratic Giver. The largest individual contribution to the Democratic fund was \$1,000, from W. C. Beer, of New York City. Colonel A. D. Martin, of South Trimble, both of Frankfort, Ky., and J. C. Mayo, of Paintsville, Ky., gave \$500 each. The Democratic State Committee of Georgia contributed \$450. Traveling expenses during extensive speaking tours were contributed by Representatives Charles Clark of Missouri; A. S. Burleson, of Texas, and Ollie M. James, of Kentucky.

From the sale of 215 campaign textbooks the Republican committee received \$107. The Democratic report does not show any receipts from this source.

Only one member of President Taft's Cabinet is shown to have contributed anything to the Republican cause. Postmaster-General Hitchcock gave \$500, and if others of the President's official family opened their purses they gave amounts of less than \$100.

Some Diplomatic Cash. The diplomatic corps is represented by R. C. Kerens, of St. Louis, ambassador to Austria-Hungary, who gave \$500, and David Jayne Hill, of Rochester, who gave \$100. Charles Dyer, Norton, secretary to President Taft, contributed \$100. Senator Root made a contribution of \$500, his being the only name representing the United States Senate. As the law does not require the publication of the names of small contributors, it does not appear how many members of that body contributed to the cause of the other branch of Congress.

How Money Was Spent. Under the head of disbursements, the Democratic report shows no extraordinary expenditures and no large sums other than those covering rent, printing and where the salaries and expenses of a number of employees had been combined into one item. Expenditures of \$200 each are shown for the campaigns in the Third Congressional District of Kentucky, the sixth New Jersey, the Third Massachusetts, the Ninth Missouri, the Eighth Tennessee, Second Nebraska, Seventh Missouri, Eighth North Carolina, Sixteenth Missouri, Eighth Missouri and Tenth North Carolina. In Kansas \$300 in disbursements were made, while \$300 was expended in Iowa. These amounts do not include traveling expenses of speakers. The Republican report shows many large expenditures in comparison with Democratic disbursements. The printing bill was far larger, and the same was true of items for rent, telephone and telephone service and salaries. What Speakers Were Paid. Under the head of expenses of speakers it is shown that Representative Duncan E. McKinlay received \$1,000; A. C. Rankin, of Chicago, \$1,734; Ray John Wesley Hill, of New York, \$2,250, and many other amounts between \$50 and \$500. In twelve districts the Republican expended \$1,000 cash, losing six districts and winning six. These districts were the sixth Kansas, the Ninth Iowa, the Tenth Kentucky, First Michigan, Fourth Minnesota, Fifth Minnesota, Second Tennessee and the Thirteenth, Seventh, Fifteenth, Sixteenth and Fourteenth Missouri Districts. In spite of these expenditures, the Republicans suffered a net loss of four seats in the House in the districts named. In nine other districts expenditures of \$500 each were reported. These were the First and Sixth Iowa, the Ninth and Eleventh Kentucky, Sixth and Fifteenth Ohio, First and Second Oklahoma, and Second Virginia. In the Ninth Wisconsin \$100 was spent. Contributions were reported of \$2,000 to the Republican State Committee of North Carolina; of \$1,500 to the Republican State Committee of Missouri; and \$500 to the Republican State Committee of Maryland.

ELECTION RESULT IS EMBARRASSING

Politicians of Every Faction Are Nonplussed by Pollings.

PREDICTIONS ARE ALL UPSET

Both Parties Went Into Battle Expecting Great Gains, and Votes Show There Will Be No Change in Their Standing in Parliament.

London, December 8.—At the close of the polling to-night in the general elections the standing of the parties is as follows:

Government Coalition—Liberals, 147; Labourites, 28; Nationalists, 13; Independent Nationalists, 6; total, 225. Opposition—Unionists, 132. The fifth day of the elections ended with the parties still running neck and neck and with the prospect that they will come under the wire in almost precisely the same relative position they held at the start. Returns had been received up to midnight from the voting for 419 members, and the result is a Unionist gain of two seats in that number over those held by that party in the last Parliament.

This amazing result is unprecedented in English history as it is embarrassing to politicians of all factions. Both parties went into the election predicting great gains. Both are now convinced that the new House of Commons will be practically identical with the old.

Contests Close. Forty-four seats were balloted for to-day. Returns were received from twenty-one of these and from forty-four which were balloted for yesterday. In the election of Liberals gained Lichfield and Bedford, while the Unionists gained Epskdale. The contests were close nearly everywhere.

The Unionists continue to cut down the Liberal majority, and to make a number of seats to freedom to-day. They are insufficient to turn out the Liberal members.

Glasgow, which the Liberals counted upon for an increased vote, went of 2,000. Winston Spencer Churchill, the home secretary, was returned by Dundee, but about 1,500 votes shifted to the Unionist column, largely as the result of attacks upon his personality. The Unionist candidate in South Belfast, where opposition to home rule was the strongest, made a considerable gain over the Liberal opponent in the last election, while indications are that the O'Brienites are cutting down the strength of the Redmondites in most sections.

Heavy rains to-night, coupled with a delay in the reports, decreased the general enthusiasm. John Redmond, speaking at Dublin, said that the election had already killed the veto power of the Lords, and the abolition of the veto means with mathematical certainty the establishment of Home Rule.

At Belfast, rioting followed the closing of the polls. There was much stone-throwing and many windows were broken. Police reinforcements quelled the trouble.

KIDNAPPED BOY FOUND

First Case Where New York Police Have Effectuated Recovery.

New York, December 8.—"They told me I was in Chicago," said Giuseppe Longo, eight years old, when the police found him yesterday in the tenement room where he had been locked a prisoner by kidnappers. Among the scores of children stolen last year in the city, Longo was the only New York case on record in which the police have effected a recovery. The boy found to-day was "aced by the aid of another child, whose brother is also held for ransom. The police learned that Giuseppe was a prisoner in an East Side tenement. The two men on guard were arrested, as were five other Italians, among them a woman.

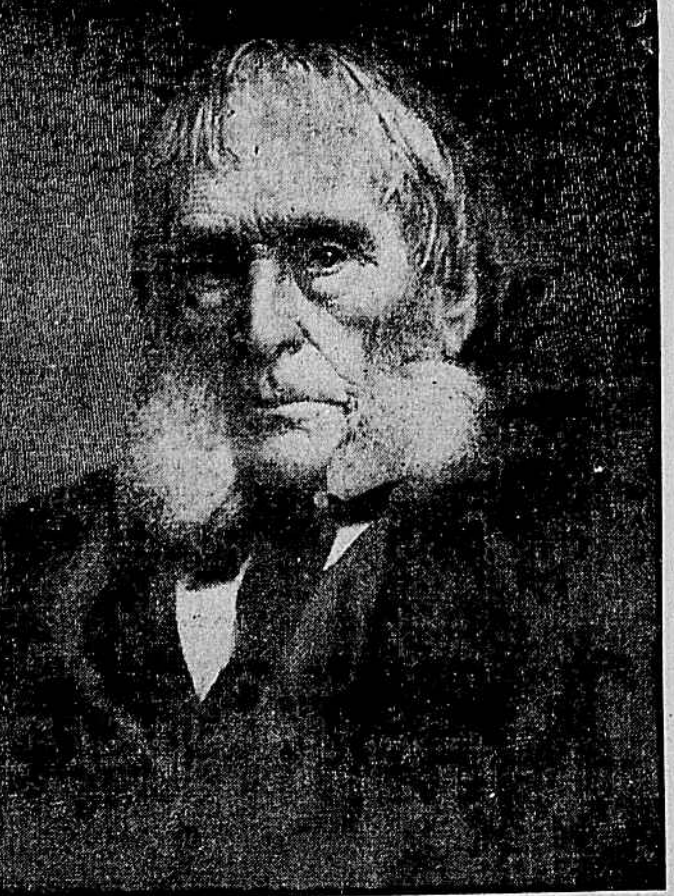
Giuseppe's father is a well-to-do Brooklyn grocer. Since he disappeared on November 15 the father received two letters demanding money, the first asking \$10,000 and the second \$125,000. The recovery of the boy makes the third in less than a week, two other Italian youngsters having turned up without the aid of the police.

DIXON BRINGS SUIT

Charges Ministers With Preventing Production of His Play.

Macon, Ga., December 8.—Charging conspiracy on the part of two ministers of the gospel and five members of the Council of the city of Americus, Ga., to prevent the presentation of his play, "The Sins of the Fathers," in that city, Thomas Dixon, the author and playwright, has filed suit in the United States Circuit Court here, asking \$10,000 damages, actual and punitive. The two preachers named, the Rev. L. Burroughs and the Rev. P. L. Bivins, who has declined to go to the White House, have been quite conspicuous in the more recent White House conferences.

BIGELOW STANDS OUT AMONG IMMORTALS



JOHN BIGELOW.

[Special to The Times-Dispatch.]

New York, December 8.—With a group of "The American Immortals" flanking him left and right and filling up the background on the stage of the New Theatre, John Bigelow, grasping a sturdy stick, looked out to-day over the audience gathered to attend the joint session of the American Academy and the National Institute, both of Arts and Letters. There were many distinguished men on the platform belonging to one or the other of the societies, but none of them stood out as did the venerable man who celebrated his ninety-third birthday only a week or so ago. Mr. Bigelow sat in the middle of the stage. Around him were such men as William Dean Howells, president of the academy; William Cray Brownell, Henry Mills Alden, reviewer of Current Events; Hamlin Garland and Dr. Furness, who reads from and writes of Shakespeare when he is not smiling at the moribund Baconians.

Mr. Bigelow, after he was introduced by Mr. Howells, told of the famous men and times of old.

GREAT END SIGHT NOW WITHIN SIGHT

Waterways Boosters Believe That Their Long Fight Is Nearly Ended.

FIND MUCH ENCOURAGEMENT

They Foresee Adoption of Improvement Policy by Federal Government.

Washington, D. C., December 8.—That the great object which led to the organization of the National Rivers and Harbors Congress—the adoption by the government of a policy of inland waterway improvement and the adequate support of that policy with annual appropriations—is within sight of accomplishment is the belief of the hundreds of delegates now here attending the seventh annual gathering of the body. Positive declaration was made to the assemblage to-day by Champ Clark, looked upon by the delegates as probable Speaker of the next House of Representatives, that the House would approve such a bill and make necessary appropriations. There would, in his opinion, be few dissenting votes. A similar opinion was expressed by other speakers, including Governor Harmon, of Ohio, and General Bixby, chief of United States Engineers.

The safeguarding of terminal facilities along waterways to be improved was declared by several speakers to be of great importance. Some of them stated that the railroad companies are ready to build grantee dikes on both sides of every river in the country. What puzzles me is that we all profess to be in favor of waterway improvement, and yet nobody seems to have sense enough to devise a system of development that can be started and carried through.

The delegates to-night listened to addresses by Mrs. Hoyle Tompkins, president of the Women's National Rivers and Harbors Congress, and others. In his address to the delegates Representative Bivins urged the delegates to direct their missionary efforts for legislation to the Senate and White House.

"If all the words in favor of improving our waterways," he said, "could be transmuted into dollars we would have funds sufficient to build granite dikes on both sides of every river in the country. What puzzles me is that we all profess to be in favor of waterway improvement, and yet nobody seems to have sense enough to devise a system of development that can be started and carried through."

I am in favor of economy, but every expenditure is not waste. Nearly every member of the House of Representatives is ready to help you, and let me add that resolutions do no good unless you keep up an active campaign. Direct your missionary work to the Senate and the White House.

General Bixby in his address declared that the day had passed for the appearance in river and harbor bills of projects "where the worthiness of the improvement is subject to any reasonable doubt."

THREE OPINIONS, ALL DIFFERENT

Conspiracy Case Against Railroads and Coal Companies Decided.

ONE POINT IS WON BY GOVERNMENT

All Others Are Decided in Favor of Defendants, and They Will Not Be Compelled to Change Present Price of Coal. No General Conspiracy.

Philadelphia, Pa., December 8.—The United States Circuit Court of the Eastern District of Pennsylvania to-day decided that there is no general conspiracy among the anthracite coal carrying railroads or coal companies to restrain trade or commerce or to monopolize the trade or to maintain certain prices, but it did decide that the Temple Iron Company is a combination of anthracite coal carrying railroads, in violation of the Sherman anti-trust law, and granted the prayer of the government for an injunction restraining that corporation from continuing a violation of the act. The sum and substance is that the government wins only one of several points, that in the Temple Iron Company case, and that the defendants will not be compelled to change the present prices of coal as a result of the court's decision.

Three Opinions. The case was heard by Judges George Gray, Joseph Buffington and William M. Lanning last February. Three opinions were handed down late this afternoon, and each differs from the other.

Judge Gray dismisses all of the government's charges except that relating to the Temple Iron Company, which he sustains. Judge Buffington dismisses all the charges except the one against the Temple Company and the one relating to the 65 per cent. contracts existing between the big corporations and the independent coal companies, he sustaining the charges of violation of law on the latter companies.

Judge Lanning dismissed all the contentions that were made by the government. The suit was filed in June, 1908, during President Roosevelt's administration. The defendants included the Reading Company, Philadelphia and Reading Railway, Lehigh Valley Railroad, Delaware, Lackawanna and Western Railroad, Central Railroad of New Jersey, Erie Railroad, New York, Susquehanna and Western Railroad, Philadelphia and Reading Coal and Iron Company, Lehigh Valley Coal Company, Lehigh and Wilkesbarre Coal Company, Pennsylvania Coal Company, Hillside Coal and Iron Company, New York, Susquehanna and Western Coal Company, Temple Iron Company and about forty independent or so-called independent coal companies.

The theory of the government's case was that all the defendants had long been parties to a general combination and conspiracy, which stifled competition and obstructed trade and commerce in an anthracite coal, the defendants were charged with conspiring against various groups of the defendants were steps toward the common goal, and that these separate accounts of the various groups were independently in violation of the Sherman anti-trust act.

What Government Asked. The government asked that the court adjudge and decree that:

1. That the defendants are parties to a combination and conspiracy in restraint of trade, and that they be enjoined from continuing this combination.
2. That they be enjoined from continuing the 65 per cent. contract existing between the big companies and the independents.
3. That the acquisition by the Erie Railroad of the capital stock of the New York, Susquehanna and Western Railroad and of the Pennsylvania Coal Company and the Delaware Valley and Kingston Railroad was illegal under the anti-trust act.
4. That the acquisition by the Reading Company of the capital stock of the Lehigh Valley Railroad was also illegal.
5. That the acquisition by the Lehigh Valley Railroad of the capital stock of Cox Brothers & Co. was also illegal.
6. That the Temple Iron Company be declared a combination of the defendant railroads, in violation of the law, and that the combination be dissolved.

The independent coal companies were brought into the case through the so-called 65 per cent. contract transactions. The independents sell their product to the big companies for 65 per cent. of the price the big companies receive for it at tidewater. The government contended that the independents were forced into making these contracts because there was no other way to get their coal to market if the coal companies chose to discriminate against them in the matter of cars and rates.

The case will probably not be taken to the Supreme Court of the United States.

LOOKS GOOD TO HARMON

White House Still Pleasing to Ohio's Governor.

Washington, D. C., December 8.—Governor Judson Harmon, of Ohio, called at the White House to-day to pay his respects to President Taft. He stopped only a few moments, but both he and the President seemed to enjoy the visit. Governor Harmon was greeted most graciously. Two or three of the President's guests were present, but the conversation was not very long. When Governor Harmon visited the White House during the conference of the Governors last year, he was asked if he liked the looks of the place. His reply at that time was that a man should always be satisfied with his home, at least on any place of abode. To-day the Governor declared that the White House was the most beautiful place he had ever seen. "I never saw the President looking nicer or in better spirits," he declared. "It is always a pleasure to have a chat with him."

MAGAZINES CONSOLIDATE

Tom Watson's Publication Merged With Taylor-Trotwood.

Atlanta, Ga., December 8.—Announcement is made of the consolidation of Watson's magazine, of Thomson, Ga., edited by Thomas E. Watson, the well-known Southern writer, and the Taylor-Trotwood magazine, of Nashville, Tenn., into one great Southern magazine. New capital will be invested in the enterprise and the publication will devote its attention largely to Southern history and literature. Mr. Watson will remain as editor-in-chief.